

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO. 5:14-CR-061-KDB-DCK**

UNITED STATES OF AMERICA,)	<u>ORDER OF CONTINUING GARNISHMENT</u>
)	
Plaintiff,)	
)	
v.)	
)	
HOLLY COWAN,)	
)	
Defendant,)	
)	
and)	
)	
WALTERS & MASON RETAIL, INC.,)	
)	
Garnishee.)	

THIS MATTER IS BEFORE THE COURT on Plaintiff United States of America's "Motion for Order of Continuing Garnishment" (Document No. 23).

A Judgment in the criminal case was entered on January 18, 2013 (Document No. 1). As part of the Judgment, Defendant Holly Cowan was ordered to pay an assessment of \$200.00 and restitution of \$285,641.00 to the victims of the crime. Id.

On June 2, 2023, the Court entered a Writ of Continuing Garnishment ("Writ") as to Garnishee, Walters & Mason Retail, Inc. (Document No. 15). Defendant was served with the Writ and Instructions notifying her of her right to request a hearing and/or claim exemptions on June 10, 2023. Garnishee was served with the Writ and Instructions on June 12, 2023. The "Answer Of Garnishee" was filed by Walters & Mason Retail, Inc. on June 20, 2023, stating that at the time of service of the Writ, Garnishee had in its custody, control, or possession property or funds owned by Defendant, including nonexempt, disposable earnings. (Document No. 18). Defendant filed a claim for exemption and request for hearing using the forms provided by the

United States on June 21, 2023. (Document Nos. 19, 20). The United States filed a response on July 5, 2023. (Document No. 21). The Court denied Defendant's claim for exemption and request for hearing on July 11, 2023. (Document No. 22).

IT IS, THEREFORE, ORDERED that an Order of Continuing Garnishment is hereby **ENTERED** in the amount of \$183,085.92 computed through June 2, 2023. Garnishee shall pay the United States up to the lesser of:

1. twenty-five percent (25%) of Defendant's disposable earnings which remain after all deductions required by law have been withheld, or
2. the amount by which Defendant's disposable earnings for each week exceed thirty (30) times the federal minimum wage.

See 15 U.S.C. § 1673(a). Garnishee shall continue payments until the debt to Plaintiff is paid in full; until Garnishee no longer has custody, possession, or control of any nonexempt property belonging to the Defendant; or until further Order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

CLERK OF THE UNITED STATES DISTRICT COURT
401 WEST TRADE STREET
CHARLOTTE, NORTH CAROLINA 28202

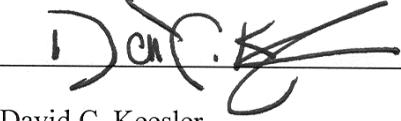
To ensure that each payment is credited properly, the following should be included on each check: Defendant's Name HOLLY COWAN, Court Number 5:14-CR-061.

IT IS FURTHER ORDERED that Garnishee shall advise this Court if Defendant's employment is terminated at any time by Garnishee or Defendant.

IT IS FURTHER ORDERED that Plaintiff shall submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment Defendant would normally receive may be offset and applied to this debt.

SO ORDERED.

Signed: July 26, 2023



David C. Keesler
United States Magistrate Judge 